

Sixth Appellate District

San Jose, California

MONDAY, SEPTEMBER 11, 2006

H028762 JKH ENTERPRISES, INC. v. DEPARTMENT OF INDUSTRIAL RELATIONS

By the Court:

The opinion in the above-entitled matter filed on August 22, 2006, was not certified for publication in the Official Reports. For good cause it now appears that the opinion should be published in the Official Reports, and it is so ordered.

Pursuant to California Rules of Court, rule 976(a) and 976.1, this opinion is certified for publication.

(Duffy, J.; Elia, Acting P.J., Bamattre-Manoukian, J.)

Filed September 11, 2006

H028795 PEOPLE v. \$17,522.08 UNITED STATES CURRENCY, et al.

The judgment of forfeiture is affirmed. (partial publication)

(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)

Filed September 11, 2006

TUESDAY, SEPTEMBER 12, 2006

The following cases are submitted this date:

H030393 EILEEN C. et al. v. SUPERIOR COURT

H030038 In re ARETHA T., et al.; D.F.C.S. v. JOSEPH T., et al.

H027764 NULMAN, et al. v. CITY OF PALO ALTO

The judgment and order awarding attorney's fees are affirmed. Respondents are to have costs on both appeals. (not published)

(Bamattre-Manoukian, J.; We concur: Premo, Acting P.J., Duffy, J.)

Filed September 12, 2006

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Rushing, P.J.; Premo, J.; McAdams, J.; and Beth Miller, Deputy Clerk.

H026450 PEOPLE v. SIMMONS, JR.

Cause called and argued by Rudolph G. Kraft appearing for Appellant and by Ross C. Moody, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

Rushing, P.J. and Premo, J. leave the bench and Bamattre-Manoukian, Acting P.J. and Mihara, J. take the bench.

Sixth Appellate District

San Jose, California

Tuesday, September 12, 2006 (continued)

H029660 In re VINCENT B.; D.F.C.S. v. DIANE B.

Cause called and argued by Allison Brumbach appearing for Appellant and by Kathryn Hogan, Deputy County Counsel, appearing for Respondent, Department of Family and Children's Services and by Robert J. Masterson, Deputy District Attorney, appearing for the minor Vincent B. Cause ordered submitted.

H029664 In re CRISCIONE ON HABEAS CORPUS

Cause called and argued by Heather Mackay appearing for Appellant and by Denise Alayne Yates, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H029508 In re GARY NEIL HOLLIDAY ON HABEAS CORPUS

Cause called and argued by Allen H. Schwartz appearing for Respondent and by Marilyn Masciarelli, Deputy District Attorney, appearing for Appellant. Cause ordered submitted.

H028898 FLORES v. MOUSSA, et al.

Cause called and argued by Jon Heaberlin appearing for Appellants and by Bryce C. Anderson appearing for Respondent. Cause ordered submitted.

The court is in recess until the 1:30 calendar.

H029756 JASSO on Habeas Corpus

We issue an order to show cause returnable before the superior court directing the Attorney General to show cause why defendant's remaining convictions for transporting controlled substances should not be reversed due to ineffective assistance of counsel based on counsel's failure to object to shackles and prison garb. (See § 1508, subd. (b).) (published)
(Rushing, P.J.; We concur: Premo, J., Elia, J.)
Filed September 12, 2006

H028593 PEOPLE v. JASSO

The judgment is reversed. The matter is remanded for further proceedings. (published)
(Rushing, P.J.; We concur: Premo, J., Elia, J.)
Filed September 12, 2006

H029673 PEOPLE v. WELLS

The judgment is affirmed. (not published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)
Filed September 12, 2006

Sixth Appellate District

San Jose, California

Tuesday, September 12, 2006 (continued)

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Bamattre-Manoukian, Acting P.J.; Mihara, J.; McAdams, J.; and S. Nasson, Deputy Clerk.

H029306 PEOPLE v. SOTO

Cause called and argued by Michael Mehr appearing for Appellant and by Rene Chacon, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H028370 PEOPLE v. LEON

Cause called and argued by Dallas Sacher appearing for Appellant and by John Deist, Deputy Attorney General, appearing for Respondent. Cause ordered submitted. Bamattre-Manoukian, J. leaves the bench. Duffy, J. takes the bench.

H029423 PEOPLE v. STARRETT

Cause called and argued by Richard Holly appearing for Appellant and by Bridget Billeter, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H029537 SPRIG ELECTRIC COMPANY v. ISR SOLUTIONS (VIRGINIA), INC., et al.

Cause called and argued by Thomas VonThury appearing for Appellant and by J. Alan Warfield appearing for Respondents. Cause ordered submitted.

Court adjourns.

WEDNESDAY, SEPTEMBER 13, 2006

(no minute approved orders)

THURSDAY, SEPTEMBER 14, 2006

H029547 PEOPLE v. SABOURI

The judgment is reversed. (not published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)
Filed September 14, 2006

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Rushing, P.J.; Mihara, J.; McAdams, J.; and J. Michel, Deputy Clerk.

Sixth Appellate District

San Jose, California

Thursday, September 14, 2006 (continued)

H029574 SHEPPARD v. LIGHTPOST MUSEUM FUND, INC., et al.
Cause called and continued to a date and time to be determined by the court.

H028901 PEOPLE v. HAMMOND

Cause called and argued by Stacy Saetta appearing for Appellant and by John R. Vance, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

Rushing, P.J. leaves the bench and Elia, Acting P.J. takes the bench.

H028221 SASCO ELECTRIC, INC. v. KEYS

Cause called and argued by Benjamin A. Johnson appearing for Appellant and by Joseph D. Miller appearing for Respondent and by Leslie Jenny Mann appearing for Respondent. Cause ordered submitted.

H028421 SASCO ELECTRIC, INC., v. KEYS

Cause called and argued by Benjamin A. Johnson appearing for Appellant and by Joseph D. Miller appearing for Respondent and by Leslie Jenny Mann appearing for Respondent. Cause ordered submitted.

Elia, Acting P.J. leaves the bench.

On the following cases, the parties stipulate the matters may be submitted after Duffy, J. listens to the tape of oral argument proceedings.

H029714 GUY v. ACTIVE PLASTICS, INC.

Cause called and argued by Clark W. Patten appearing for Appellant and by Stephen Joseph Schori appearing for Respondent and by Robert H. Bohn appearing for Respondent.

H028957 PRINCE v. PACIFIC GAS & ELECTRIC COMPANY

Cause called and argued by Jon Allen Heaberlin appearing for Appellant and by Frederick D. Baker appearing for Respondent.

H029318 ASTRIN v. APPLE COMPUTER, INC.

Cause called and argued by Philip Ross appearing for Respondent and by Robert M. Lubin appearing for Appellant.

Court recesses until 1:30 p.m.

Sixth Appellate District

San Jose, California

Thursday, September 14, 2006 (continued)

H030278 SHAWN D. v. SUPERIOR COURT OF SANTA CLARA

The petition for extraordinary writ is denied (not published)

(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed September 14, 2006

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Bamattre-Manoukian, Acting P.J.; McAdams, J.; and S. Nasson, Deputy Clerk.

H028232 PEOPLE v. PERRUSO

Cause called and continued to a date and time to be determined by the court.

H028993 DELFINO, et al. v. AGILENT TECHNOLOGIES, INC.

Cause called and continued to a date and time to be determined by the court.

H028573 BETTIO v. DEPT. OF MOTOR VEHICLES

Cause called and argued by John Halley appearing for Appellant and by Karen Kuyo Huster, Deputy Attorney General, appearing for Respondent. The parties stipulate the matter may be submitted after Duffy, J. listens to the tape of oral argument proceedings.

Court adjourns.

H027711 PEOPLE v. CARDONA

By the Court*:

Appellant's petition for rehearing is denied.

Filed: September 14, 2006

*Before Rushing, P.J., Mihara, J. and McAdams, J.

FRIDAY, SEPTEMBER 15, 2006

H030013 PEOPLE v. GONZALEZ

The judgment is affirmed. (not published)

(McAdams, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)

Filed September 15, 2006